

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States Court of Appeals  
Sixth Circuit

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

**DIRECT REPLY TO:**

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<http://www.jpml.uscourts.gov>

October 9, 2003

Bruce Rifkin, Clerk  
215 William Kenzo Nakamura U.S. Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104-1130



**OCT 14 2003**

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

(See Attached Schedule CTO-33)

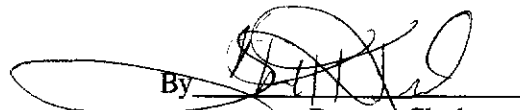
Dear Mr. Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on September 23, 2003. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By   
Deputy Clerk

**Attachments**

cc: Transferee Judge: Judge Barbara Jacobs Rothstein  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)



01-MD-01407-ORD

JPML Form 38

**A CERTIFIED TRUE COPY**

OCT -9 2003

ATTEST  
FOR THE JUDICIAL PANEL OF  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED  
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MAIL

SEP 23 2003

OCT 14 2003

FILED  
CLERK'S OFFICE

DOCKET NO. 1407

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY  
LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-33)**

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,229 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

OCT -9 2003

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-33 - TAG ALONG CASES**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

DISTRICT DIV. CIVIL ACTION#

**ALASKA**

AK 3 02-277 Rose M. Hughley v. The Delaco Co., et al.

**ALABAMA NORTHERN**

ALN 2 03-2252 Abbi Lyn Pena, etc. v. Wyeth, Inc., et al.

**FLORIDA SOUTHERN**

FLS 0 03-61143 Barbara Entwistle v. Bayer Corp.

**ILLINOIS NORTHERN**

ILN 1 03-6879 Margarita Armendarez v. Wyeth Inc., et al. (formerly ILS 3:03-413)

**ILLINOIS SOUTHERN**

ILS 3 03-411 Jane Weddle, et al. v. Elan Pharmaceuticals, Inc., et al.

~~ILS 3 03-413 Margarita Armendarez v. Wyeth, Inc., et al. (See ILN listing above)~~

**LOUISIANA WESTERN**

LAW 2 03-1209 Isaac Cole v. Bayer Corp., et al.

LAW 2 03-1267 Clarence Jones, Jr. v. Block Drug Co., et al.

**MISSOURI WESTERN**

MOW 6 03-3230 Shirley Breite v. Chattem, Inc., et al.

**MISSISSIPPI SOUTHERN**

MSS 2 03-189 Leatha Tucker, et al. v. Wyeth Consumer, et al.

**NEW JERSEY**

NJ 2 03-3431 Mary Ray v. The Delaco Co., et al.

NJ 2 03-3726 Teri Jean Peterson, et al. v. Chattem, Inc., et al.

**SOUTH CAROLINA**

SC 3 03-2437 Miguel Torres-Landrau v. GlaxoSmithKline, et al.

SC 3 03-2438 Luanne Poole v. Novartis Pharmaceuticals Corp., et al.

**TEXAS EASTERN**

TXE 9 03-162 Alice Didion v. Bayer Corp., et al.

**TEXAS SOUTHERN**

TXS 5 03-122 Oralia Guadalupe Rodriguez, et al. v. Chattem, Inc., et al.

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**DOCKET NO. 1407**  
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**DOCKET NO. 1407**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

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SEP 23 2003

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CLERK'S OFFICE

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**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY  
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**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-33)**

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FOR THE PANEL:

*Michael J. Beck*

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